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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NI DUAN,)	No. C07-5753 JF (HRL)
)	
Plaintiff,)	
)	
v.)	STIPULATION TO DISMISS; PROPOSED
)	ORDER
MICHAEL CHERTOFF, Secretary of the)	
Department of Homeland Security, et al.,)	
)	
Defendants.)	

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STIPULATED DISMISSAL
No. C07-5753 JF (HRL)

1 Plaintiff, by and through his attorney of record, and Defendants, by and through their
2 attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-
3 entitled action without prejudice in light of the fact that the United States Citizenship and
4 Immigration Services has approved Plaintiff's application for adjustment of status.

5 The parties shall bear their own costs and fees.

6 Date: January 23, 2008

Respectfully submitted,

7 JOSEPH P. RUSSONIELLO
8 United States Attorney

9 /s/
10 MELANIE L. PROCTOR¹
11 Assistant United States Attorney
12 Attorneys for Defendants

13 Date: January 23, 2008

14 /s/
15 TODD GALLINGER
16 Gill & Gallinger, LLP
17 Attorneys for Plaintiff

18 **ORDER**

19 Pursuant to stipulation, IT IS SO ORDERED. The case is DISMISSED.

20 Date:

21 JEREMY FOGEL
22 United States District Judge

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28 ¹I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any
signatures indicated by a "conformed" signature (/S/) within this efiled document.